



Athens County Children Services

Protecting Children
Strengthening Families
Securing Futures

Adoption Policies and Procedures Manual

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TABLE OF CONTENTS

INTRODUCTION

ACCS ADOPTION TEAM

CHAPTER 1- CHILDREN AVAILABLE

Children available for adoption through ACCS tend to be special needs because of age, placement moves, part of a sibling group, mental health diagnoses, medical diagnoses, and/or developmental delays or disabilities. Most children have more than one special need.

- 1.1 Description of Children Available for Adoption Through ACCS
- 1.2 Special Needs Children Definition

CHAPTER 2- APPROVAL OF HOMES

A home study is required to become approved for adoption and included bi-yearly updates. The home study includes such activities as background checks, financial information, and medical exams.

- 2.1 Families and Geographic Location Served
- 2.2 Adoption Unit Program Manual
- 2.3 Training Requirements
- 2.4 Joint Approval for Foster Care and Adoption
- 2.5 Large Family Assessment
- 2.6 Criminal Record Checks, Associated Fees, and Other Background Checks
- 2.7 Falsification of an Adoption Application or Home Study
- 2.8 Notification of the PCSA in the County in Which the Prospective Adoptive Parent Resides of the Initiation of the Home Study
- 2.9 Use of Boarding Homes
- 2.10 Home Study Updates and Amendments
- 2.11 Family Access to Home Studies Approved by ACCS
- 2.12 Notification of the PCSA in the Prospective Adoptive Family's County of Residence of an Impending Adoptive Placement
- 2.13 Sharing and Transferring Adoptive Home Studies
- 2.14 Adoptive Family Home Studies from Other Agencies
- 2.15 Schedule of Fees

CHAPTER 3- MATCHING

Matching is the process by which an adoptive family is chosen for a child who is in the permanent custody of ACCS.

- 3.1 Placement Considerations and Preferences
- 3.2 Timely Search for Prospective Parents for A Child in the Permanent Custody of ACCS
- 3.3 Procedures to Review All Approved Adoptive Families for Matching with Available Children
- 3.4 Matching Process
- 3.5 Length of Time Between Adoptive Placements

CHAPTER 4- ADOPTIVE PLACEMENT REQUIREMENTS

Certain activities are required of ACCS after a child is placed for adoption. These include case management and home visits. The purpose is to assure the adjustment of the family and child and to assure all necessary services are in place.

- 4.1 Notifications Required of Adoptive Parents Prior to Finalization
- 4.2 Prefinalization Services
- 4.3 Open Adoption

CHAPTER 5- ADOPTION SUBSIDIES

The majority of children available for adoption through ACCS qualify for monthly adoption assistance (AA) and a medical card. This AA continues until the child's 18th birthday unless criteria are met for it to continue past that age. There are two specialized programs for post adoption financial support.

- 5.1 What Are Subsidies
- 5.2 Federal IV-E Adoption Assistance
- 5.3 State Adoption Maintenance Subsidy
- 5.4 Nonrecurring Expenses of Adoption Reimbursement
- 5.5 ACCS Special Services Subsidy
- 5.6 Post Adoption Special Services Subsidy (PASSS)
- 5.7 State Adoption Assistance Loan Fund
- 5.8 Covered Families and Children Medicaid

CHAPTER 6- POST ADOPTION SERVICES

ACCS continues to offer services to families after the finalization of an adoption. These services are voluntary and do not open a case with ACCS.

- 6.1 Available Post Adoption Services for Families
- 6.2 Available Services for Adoptees

CHAPTER 7- COMPLAINTS

Families who believe they have been discriminated against or have other complaints can file a grievance with ACCS.

- 7.1 MEPA Statement
- 7.2 Permitted Actions
- 7.3 Prohibited Actions
- 7.4 Review Procedures
- 7.5 MEPA Complaints

CHAPTER 8- STANDARDS OF CONDUCT

ACCS is prohibited from discriminating against in the practice of adoption and foster care and is held to certain standards of conduct.

- 8.1 Standards of Conduct
- 8.2 Permissible Actions for Foster Care and Adoption
- 8.3 Prohibited Actions for Foster Care and Adoption
- 8.4 Retaliation Prohibition
- 8.5 MEPA Contact
- 8.6 Enforcement Requirements
- 8.7 Corrective Action Plan

INTRODUCTION

MISSION STATEMENT

The ACCS Adoption Team provides quality services using culturally competent and best practice principles. We strive to meet the needs of all members of the adoption triad through recruitment, permanency, and pre- and post-finalization services and support. The adoption team seeks creative solutions for problems unique to the populations served.

PHILOSOPHY

The ACCS Adoption Unit embraces the statement that “Unadoptable is Unacceptable.” It is the belief of the ACCS Adoption Unit that all children are deserving of a permanent home and that there is a family for every child. That forever family can be with their birth parents, a kinship provider, or in an adoptive home. Permanency plays a key role in a child’s development, success, and future. The search for an adoptive family does not end as long as the child remains in the permanent custody of ACCS.

POLICY AND PROCEDURE MANUAL

This manual has been developed to support families seeking to adopt children from Athens County Children Services. Some of the policies in this manual are required by the Ohio Administrative Code and you will see them referenced at the end of a policy section. Some of the policies reflect best practice in the adoption field. Each section of the manual has related procedures that guide agency staff.

SERVICE OVERVIEW

The majority of children with whom the Adoption Unit works are special needs for reasons such as age, siblings groups, and mental health issues. Services provided to adoptive families include home studies, helping search for children available for adoption, and post adoption case management services. Birth parents are served through mediation of contact with a child’s adoptive family and to provide supportive services.

QUALITY SERVICES

The Adoption Unit became a Council on Accreditation (COA) accredited program that provides effective and creative services to children, adoptive families, and birth parents. The adoption practices of the ACCS Adoption Unit

are progressive and well-respected by other agencies. In November 1997, The Adoption Unit was a recipient of the Adoption 2002 Excellence Award by the United States Department of Health and Human Services in recognition of its support to adoptive families. This award was presented by President Clinton at the White House.

The ACCS Adoption Unit is somewhat unique in having a worker whose job is to serve adoptive families and provide post adoption support. Many issues faced by adoptive families are unique and having a worker trained to offer support in that area helps in assuring adoptive families are successful. This program also offers quarterly trainings and activities for adoptive families.

The ACCS Adoption Unit celebrates National Adoption Month yearly. In 2014, the first Finalization Day was held in Athens County, during which four children were adopted by their forever family. These children were three teenagers and one medically fragile toddler.

In 2012, Athens County Children Services was selected as one of the recipients of a grant through the Dave Thomas Foundation for Adoption to have a Wendy's Wonderful Kids (WWK) Recruiter. This was done in partnership with Perry, Washington, Gallia, Meigs, Jackson, and Scioto counties. The purpose of this position is to provide child-specific recruitment for children who are difficult to place because of their special needs. Children with special needs who are served by a WWK Recruiter have been shown to be three times more likely to be placed in a forever family. In 2014, the ACCS WWK Recruiter was selected as one of three recipients of a national award for an Outstanding Adoption Story.

ACCS is also developing a program and practice surrounding siblings who enter the custody of the agency. A part of that program is the development of a caseworker whose job is to provide services to siblings and to caregivers who have siblings placed in their home. That caseworker is a part of the Adoption Unit. The sibling relationship is one of the longest relationships individuals usually have and is of utmost importance. Placing siblings together is a requirement of children services agencies. Sometimes placement together is not a possibility and this caseworker assures the siblings are visiting and works on a reunification plan for them to be placed together again, whether that be in foster care or reunified in an adoptive home.

SUMMARY

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Revised: 3/24/15

Revision being considered: Five Year Review

Children available for adoption through Athens County Children Services (ACCS) generally have a history of physical and/or sexual abuse and neglect. It should be noted that this document contains special needs factors (e.g. age, sibling group, mental health diagnoses) that relate to subsidy eligibility but most of our children have special needs apart from those criteria. Infants are rarely available for adoption. Infants who are available, are often part of a sibling group and/or may have tested positive for drugs and/or alcohol at birth. Families seeking to adopt infants with no special needs would be better served by working with a private agency.

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Procedure Revised: 3/24/15



SUMMARY

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Almost all of the children in the permanent custody of ACCS who are available for adoption are considered special needs as defined by at least one of the following characteristics.

GUIDELINES

A special needs child is a child who, prior to substitute care or adoptive placement, has at least one of the following needs or circumstances that may be a barrier to placement or adoption or a barrier to a child being sustained in a substitute care placement or adoptive home without financial assistance because the child:

- 1) Is in a sibling group being adopted together or is placed in the same adoptive home of a previously adopted sibling
- 2) Is a member of a minority or ethnic group, but if between the age of newborn and 12 months the child must also be diagnosed to have a condition outlined in paragraph (A)(2)(g) or (A)(2)(h) of rule 5101:2-49-03 of the OAC
- 3) Is six years of age or older
- 4) Has remained in the permanent custody of a PCSA or PCPA for more than one year without being placed in an adoptive home
- 5) Has been in the home of his/her prospective adoptive parents as a foster child for at least 6 consecutive months directly preceding the adoptive placement and would experience severe separation and loss if placed in another setting due to his/her significant emotional ties with the foster parent(s) as determined by a qualified mental health professional
- 6) Has experienced a previous adoption disruption or three or more disrupted substitute care placements while in the custody of a PCSA or PCPA.
- 7) Has a developmental disability, developmental delay, mental illness or medical condition defined by rule, diagnosed by a qualified professional within their area of expertise.
- 8) Child or child's biological family has a social or medical history that establishes a substantial risk of developing a mental disability, developmental delay or disability, mental illness, or medical condition. The substantial risk must be determined by a qualified mental health professional. A child is not at substantial risk if the biological parents' social/medical history cannot be determined.

REFERENCES

OAC 5101:2-49-03 Special Needs Criteria for Adoption Assistance

Procedure Approved: 3/24/2015

Procedure Revised: 3/24/15



POLICY

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Athens County Children Services will conduct adoption home studies for individuals and families residing in Athens County. At the discretion of the agency, home studies will be conducted for individuals and families residing in other counties based on family's desire to work with ACCS and ACCS staff availability. ACCS does not provide home study assessment for families pursuing private, stepparent, or international adoption.

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There are no religious affiliation requirements. Families may actively practice a religion or not at their choice.

Should a child placed in a home for adoption have certain religious beliefs and/or practice, an adoptive family should attempt to make accommodations to meet those needs of the child.

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POLICY

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Individuals applying for adoption through ACCS will complete the required preservice/preplacement training.

GUIDELINES

TRAINING OFFERED:

Adoption applicants must complete 36 hours of pre-placement (pre-service) training using the Ohio Child Welfare Training Program standardized curriculum. This training is available locally through the Southeast Ohio Regional Training Center in Athens and at other sites in the state. Listings are available at www.ocwtp.net Training is available in Athens at least twice a year and in nearby counties frequently throughout the year. Missed sessions may be made up at any OCWTP training site.

WHO MUST ATTEND:

Both parents in two parent families are required to participate. Registration is completed with the individual listed as the agency contact for the training.

PROCEDURES

WAIVER OF TRAINING:

ACCS may waive components of the requirement for education and training if the assessor determines that the family has received training previously or the family has the skills to care for the needs of the child that will be placed in the home. Training on cultural issues cannot be waived. Training may not be waived for dual applications for foster care and adoption. The purpose of this training is to help families to begin a realistic decision about proceeding with adoption and to assist families in developing reasonable expectations of the needs of the children available for adoption through the public child protection system. Participating in training does not obligate the parent and there is no charge for the training.

REFERENCES

OAC 5101: 2-48-09 Application Process and Preservice Training

Procedure Approved: 3/24/2015

Procedure Revised: 3/24/15



POLICY

ACCS may approve families for both adoption and foster care.

GUIDELINES

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Families may be simultaneously approved for adoption and foster care, however, joint applicants must be 21 years of age and meet all the individual requirements for both foster care and adoption to be jointly approved. In cases of joint approval, visits will be made to the home by staff from both the Adoption Unit and Placement Services Unit.

PROCEDURES

Home studies for families applying to adopt special needs and non- special needs children will be initiated following the completion of preservice training and within 30 days of receipt of the completed application. Applications are available anytime upon request, but are routinely provided to applicants during or at the completion of preservice training.

Home Study Completion Requirements:

1. Three or more face-to-face interviews will be conducted in the course of obtaining information for the home study. At least one interview will occur in the home of the applicants, other interviews may make place in the Children Services offices or other mutually agreed upon locations.
2. The home study will include statements regarding the following topics: family background, physical condition of family members, summary of references, assessment of home and property (including site and safety requirements), discipline techniques, family relationships, review of personal characteristics of applicants and their ability to successfully parent an adoptive child, summaries of the BCII (Ohio's Bureau of Criminal Identification and Investigation) and FBI record checks, state automated child welfare information system (SACWIS) and central registry, out of state registries for states of residence for five years prior to application, fire inspection report, and any additional assessments deemed necessary by the agency.
3. Additional physical, psychiatric, or psychological examination or treatment may be required by the agency if needed to ensure the safety, health or care of an adoptive child.
4. To be considered eligible for approval as an adoptive family, the above documents must indicate that an adoptive child would be safe in the home and have all basic needs met.

5. Applications shall be completed on the required form given to them at the completion of preservice training. The agency shall not accept an incomplete application. Applications found to contain inaccurate or wrong information shall be denied pursuant to rule 5101:2-5-26 of the Administrative Code. The applicant who submits an incomplete application shall not have an opportunity for a hearing pursuant to Chapter 119 of the Ohio Revised Code.

Required Notifications:

1. Adoptive applicant(s) or approved adoptive parent(s) shall notify ACCS in writing if a person residing in the home who is twelve years old, but under eighteen years old, has been convicted or pleaded guilty to any offense listed in appendix A of rule 5101:2-48-10 of the Ohio Administrative Code or has been adjudicated to be a delinquent child for committing an act that if committed by an adult, would constitute one of those offenses.

Home Study Completion Time Frames:

1. Home studies will be completed within 180 days of application if all application material is provided in a timely manner by the family.
2. If references fail to respond, additional references will be requested.
3. Timeliness on the part of the prospective parent(s) in providing requested documentation is critical to completion of the home study within these time frames.
4. ACCS will not continue with the home study process if all required documentation is not submitted within 180 days of receipt of the initial or revised application unless the agency makes a determination that the home study should not be terminated.
5. The applicant shall be notified in writing 30 days prior to termination of the application.

The final decision on home study content remains with the Assessor and Supervisor unless otherwise directed by the Executive Director through the complaint process.

Home studies which meet the special needs of individual children will be regularly considered for potential adoption matches.

Each family approved by ACCS will be entered into this agency's data base of available families, which will be reviewed when matching children with appropriate families. Approval as an adoptive home does not guarantee an adoptive placement.

REFERENCES

OAC 5101: 2-48-09 Application Process and Preservice Training

Procedure Approved: 3/24/2015

Procedure Revised: 3/24/15

POLICY

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Multiple Children/Large Family Assessments, JFS 01530, (12/2014) shall be conducted when an applicant seeking to adopt a minor or foster child will have at least five children residing in the prospective adoptive home after the minor or foster child to be adopted is placed in the home for adoption, and when there are already five or more children in the home at the time of the initial adoption home study.

GUIDELINE

The agency which holds the family's adoption home study generally carries out this assessment.

REFERENCES

OAC 5101:2-48-05 Agency adoption policy and recruitment plan

OAC 5101:2-48-11 Approval of a foster home for adoptive placement

OAC 5101:2-48-12 Completion of the home study

JFS 01530 (12/2014) Multiple Children/Large Family Assessment

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All adoptive applicants as well as other adults living in the home will complete a criminal record check through the Bureau of Criminal Identification and Investigation and the FBI.

PROCEDURES

The fingerprinting will be performed at Athens County Children Services or other approved site.

Applicants could be assessed a fee for the cost to the agency for this service should budget constraints warrant.

Out of state central registries will be checked for applicants unable to prove five years of continuous residence in Ohio immediately prior to application.

Athens County Children Services also conducts a driving record check and checks of county and municipal records as well as the Statewide Automated Child Welfare Information System (SACWIS).

Household members who turn eighteen years of age shall have a BCII background check and FBI check, as outlined in rule 5101:2-48-10 of the Administrative Code, initiated within ten working days of the date they turn eighteen years of age.

New criminal records checks will be completed every four years.

REFERENCES

OAC 5101:2-48-10 Restrictions Concerning Provision of Adoption Services

ORC 2151.86 Criminal Records Check

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Per Ohio Revised Code 3107.031, A person seeking to adopt a minor who knowingly makes a false statement that is included in the written report of a home study conducted pursuant to this section is guilty of the offense of falsification under section 2921.13 of the Revised Code.

PROCEDURES

Per OAC rule 5101:2-33-13, ACCS, upon an internal investigation, shall refer all cases to the county prosecutor in which there is probable cause to believe that falsification of an adoptive application or home study has been committed under section 2921.13 of the Revised Code. ACCS shall follow procedures as outlined in rule 5101:2-33-13 of the Administrative Code when an agency determines there may knowingly be falsification on an adoptive application or home study.

The assessor of ACCS shall report in writing a person who knowingly makes a false statement on an application or home study document during the home study process to the agency administrator or designee within three days of the assessor's determination of possible falsification. The written statement shall include, but is not limited to: The original application completed by the applicant and documentation verifying the information reported on the application or in the home study by the applicant is knowingly false.

Agency Response

ACCS shall within fourteen days of the determination of falsification, send a notification letter to the applicant indicating that the information submitted to the agency had been determined to be knowingly false. The notice shall include procedures for an agency review and shall include all of the following information:

1. Date notification letter is prepared by the assessor
2. Mailing address of the applicant(s)
3. A statement indicating the home study process will discontinue because the agency has probable cause to believe the information provided by the applicant on the JFS 01691, "Application for the Placement of a Child" (rev. 6/2009) or during the home study process is knowingly false
4. A copy of the information that is alleged knowingly false
5. Documentation verifying the information submitted on the JFS 01691 or during the home study process that is knowingly false
6. A statement indicating that all cases in which it is determined by the agency the applicant made knowingly false statements will be referred to the county prosecutor office in the county the applicant(s) reside
7. A statement indicating that if the applicant(s) fails to respond within the fourteen day period, the applicant(s)' application is withdrawn, and the action of refusing to respond

to allegations of knowingly making false statement(s) has resulted in the applicant(s) selecting themselves out of continuing the home study process.

8. The notification letter shall be mailed to the applicant by certified mail.

Family Rights

The applicant(s) has a right to an agency review to respond to the alleged falsification.

Agency Review Process

If the applicant responds within fourteen days of the date of receipt of the written notice alleging falsification, ACCS is responsible for reviewing information received from the adoptive applicant within twenty-one days of receipt of the applicant(s) response. ACCS shall conduct an internal investigation that shall include but not limited to:

1. Face-to-face visit with the adoptive applicant, and all relevant witnesses, if available
2. Issuance of a final investigatory report to the adoptive applicant(s) that is the subject of the investigation no later than ten days after the agency review. The report shall include:
 - a. The allegations
 - b. Relevant background information deemed appropriate by the agency
 - c. The results of the investigation and recommendation of whether or not the agency found probable cause to indicate the applicant(s) made knowingly false statements on the application for child placement or during the home study.
3. If unanticipated circumstances require additional time to complete the investigation or to issue the final report, ACCS shall notify the adoptive applicant that is the subject of the investigation of the need for additional time. The extension shall not be longer than fourteen days after the agency notifies the applicant(s) of the need for additional time to complete the investigatory report.

ACCS shall provide written notification within thirty days of receipt of the applicant(s) response to the adoptive applicant of any action to be taken.

Upon completion of the final investigation report and the agency determines there has been no falsification made by the applicant(s), ACCS shall resume the home study process if the applicant(s) chooses to proceed. The home study shall be completed within one hundred eighty days from commencement.

ACCS shall include in the adoptive family case record all documentation which supports the ACCS' action in determining the results and recommendation of the internal investigation.

Falsification After Adoptive Placement

If an adoptive child is placed in an approved adoptive parent(s) home and the adoptive parent(s) or other household member(s) knowingly made a false statement that results in the assessor's reassessment of an approved or updated home study, the prospective adoptive parent(s) or other household member(s) is guilty of the offense of falsification under section 2921.13 of the Revised Code. The assessor shall report incidents of falsification according to the procedures pursuant to this rule.



**Falsification of an Adoption
Application or Home Study
2.7
Adoption Unit Program Manual**

The Executive Director or designee must determine in twenty-four hours of completing the agency's internal investigation, if there is probable cause related to the adoptive child's safety and well-being to remove the child from the adoptive parent(s) home until the result of an investigation is rendered.

REFERENCES

OAC 5101:2-33-13 Adoption Falsification Administrative Procedures

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



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When conducting adoption home studies for families that reside outside of Athens County, ACCS will notify the public children services agency in the county in which the prospective adoptive parent(s) resides in writing within ten days after initiation of a home study per OAC 5101:2-48-16. A copy of that correspondence will be maintained in the adoptive home study record.

REFERENCES

OAC 5101:2-48-05 Agency Adoption Policy and Recruitment Plan

OAC 5101:2-48-12 Completion of the Home Study

OAC 5101:2-48-16 Adoption Preplacement and Placement Procedures

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Athens County Children Services will not approve for adoption any home where the prospective parent(s) live in a home operated as an adult boarding home, whether licensed for boarding purposes or not licensed. A boarding home is defined as a home where non-related adults occupy rooms and/or share common living space in the home.

Duplexed or tri-plexed structures where renters have separate entrances and no shared living space are eligible for consideration. Athens County Children Services reserves the right to require background checks of all the renters. The final decision regarding use of such homes rests with adoption staff.

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In order to appropriately and safely match youth with adoptive families, home study information will be accurate and current.

PROCEDURE

Updates to the initial study must be completed at least once every 2 years.

The adoptive family or applicant must notify the agency within 24 hours or the next working day of any of the following changes and amendments must be made within 30 days of notification if any of the following circumstances occur:

1. Change in marital status of the adoptive parent
2. Serious illness or death of the adoptive parent or household member
3. Finalization of an adoptive child placed by a different agency
4. A change in the number of child household members through birth, or kinship who have not reached the age of majority.
5. Criminal charge or conviction of the adoptive parent or other household member
6. Adoptive parent(s) shall notify ACCS in writing if a person residing in the home who is twelve years old, but under eighteen years old, has been convicted or pleaded guilty to any offense listed in appendix A of rule 5101:2-48-10 of the Administrative Code or has been adjudicated to be a delinquent child for committing an act that if committed by an adult, would constitute one of thoseoffenses.
7. Change in the number of adult household members
8. Change of address (will need a new safety audit and fire inspection).
9. Significant change in financial status or income.

New child household members entering the household through birth shall have a medical statement (JFS 1653) completed within 90 days of the date they became a household member.

New child household members entering the household through other events shall have a medical statement (JFS 1653) completed within 60 days of the date they became a household member.

If a new adult member joins the household, that adult shall have a medical statement (JFS 1653) within 60 days, background checks within 10 days and a Central Registry/SACWIS search initiated within 10 days.

The home study must be updated every two years from the date of adoption approval or at the time of foster care certification (if the family is dually approved/licensed), whichever date is sooner.



The adoptive applicant is notified in writing of the required update 90 to 120 days prior to the home study update due date. This "Notification of Adoption Home study Update" includes:

1. Due date of the home study update
2. Requirement that the adoptive parent sign and return the Notification prior to the due date to indicate they wish to have the update completed
3. Notification that if the update is not completed before the due date, the home study will expire
4. If the home study expires and the family wishes to continue to be considered for adoption, a new Application must be submitted and a full home study assessment must be completed

The home study update "Assessment for Child Placement Update", JFS 1385, must be completed prior to the update due date and consists of an interview with the applicants and other household members and the completion of the safety audit (JFS 1348).

1. The family's assessment of the adoptive experience is reviewed, as well as the applicant's strengths, growth areas, training needs, if any, changes in income, employment, health status, and significant family events
2. A professional or other reference is required as well as a Central Registry check in SACWIS.
3. Background checks including BCI&I and FBI checks are completed every four years.

The applicant will be notified in writing of the approval or denial of the update. If the home study update and/or foster home license are not approved, the applicants will be informed of the specific reasons for the denial and given an opportunity to request an agency review/grievance board hearing.

The adoptive family must notify the agency within 1 hour of any of the following circumstances involving an adoptive child whose adoption has not finalized:

1. Serious injury or illness involving medical treatment of an adoptive child
2. Death of the adoptive child
3. Unauthorized absence of the adoptive child from the home
4. Removal of the adoptive child from the home by any person or agency other than the placing agency, or attempts at such removal
5. Any involvement of the adoptive child with law enforcement authorities

REFERENCE

OAC 5101:2-48-12.1 Completion of Adoption Home Study Updates

OAC 5101:2-48-12.2 Completion of Adoption Home Study Amendments

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



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ACCS shall make its home studies of all approved families, who have signed the authorization for release of information form, available to any other child placing agency which requests a copy of the home study.

PROCEDURE

RELEASING THE HOME STUDY

The home study shall be released within fifteen days after a request has been made as long as the authorization for such release has been submitted to ACCS and required fees have been paid. (See Schedule of Fees)

Documentation of the dates of the request and release of the home studies will be made in the case recordings of the approved adoptive family.

The home study, not including reference letters, may be viewed by the adoptive applicant at their request for their own perusal

1. The review will take place at ACCS and the home study may not be taken outside of ACCS offices. Adoptive family cannot keep a copy of their home study
2. A family may review the home study and suggest items to be added or deleted
3. Families may not directly submit their home study to other agencies per ODJFS rule 51012:48-19 as agencies are not allowed to consider home studies submitted directly from the prospective family

REFERENCE

OAC 5101:2-48-19 Sharing and Transferring Adoptive Home Studies

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

ACCS will send written notification to the adoptive family's county of residence, i.e. the county where the child is being placed, of the intent to place the child(ren) for adoption. This will be done no later than ten days before the placement and will include a description of the child's special needs, the child's age, the name of the adoptive parents, and the number of children that will be in the home. In the case of an infant placement, the notification can be made before the birth of the child.

For children placed in an adoptive home outside the state of Ohio, the procedures required through the Interstate Compact for Placement of Children (ICPC) will be followed.

REFERENCE

OAC 5101:2-48-16 Adoption Preplacement and Placement Procedures

OAC 5101:2-52 Interstate Placement of Children

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

SHARING

ACCS shall only consider approved home studies forwarded by a Public Children Services Agency (PCSA), Private Child Placing Agency (PCPA), private non-custodial agency (PNA) or comparable agency of another state.

ACCS shall not require any additional documentation for the home study beyond the requirements of Chapter 5101:2-48 of the Administrative Code.

If the approved adoptive family signed an authorization for release of information, ACCS shall make the home study available to any other agency requesting a copy of the home study for sharing or transferring.

ACCS shall release the home study and related materials, including the JFS 01530 "Multiple Children/Large Family Assessment" (Rev.12/2006) within fifteen days after the request is made as long as the requirements outlined in paragraph (L) of OAC 5101:2-48-19 are met.

FALSIFICATION

ACCS shall not release or accept a home study for sharing or transferring purposes if it is determined an application or home study contains a false statement knowingly made by the applicant(s) and is included in the written report of the home study.

If ACCS determines a home study is falsified, ACCS shall follow the procedures outlined in rule 5101:2-33-13 of the Administrative Code (See falsification section of policies).

If ACCS released a home study and the agency in receipt of the home study determines the home study contains a knowingly false statement, the agency in receipt of the home study shall not consider the home study in the matching process and shall notify the sending agency in writing of the false statement within three days of determination of the false statement.

TRANSFERRING

The receiving agency shall not approve the transfer request until the following information is received and approved by the agency:

1. Three new personal references from three persons unrelated to the prospective adoptive parent and do not live with the prospective adoptive parent;



2. A new criminal records check is obtained, reviewed and approved by the assessor for all persons residing in the home subject to a criminal records check;
3. A new safety audit of the adoptive home is conducted to verify the home meets all current safety requirements;
4. Documentation of the assessor's decision to recommend approval of the transfer request.

The prospective adoptive parent and the sending agency are sent a written notice of the receiving agency's decision within five working days of the decision.

If an incomplete home study is received from an agency, the receiving agency shall notify the sending agency in writing within ten days from the date of receipt of the incomplete home study.

1. The written notification shall indicate the information needed in order for the home study to be considered complete as required by Chapter 5101:2-48 of the Administrative Code;
2. The sending agency shall respond within fifteen days from the date of receipt of the written notification from the receiving agency;
3. Upon acceptance of the transfer of an adoption home study, the JFS 01334 shall be completed and signed by both the sending and receiving agencies;
4. Home studies from other agencies shall be regularly considered for potential adoption matches pursuant to rule 5101:2-48-16 of the Administrative Code. See Schedule of Fees, Section 2.15.

REFERENCES

OAC 5101:2-48-19 Sharing and Transferring Adoptive Home Studies

ACCS Adoption Unit Program Manual 2.15 Schedule of Fees

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

ACCS shall only consider approved home studies that have been forwarded by a public or private, custodial or noncustodial agency or comparable agency of another state.

ACCS shall not require additional documentation for the home study beyond that which is required by Chapter 5101:2-48 of the Administrative Code.

When approved home studies are forwarded to ACCS for a specific child, ACCS will consider those home studies in the same manner in which the agency considers its own home studies approved within the agency.

Approved home studies received from any other agency, at the discretion of ACCS, are maintained for a period of 6 months after receipt.

Home studies not maintained or home studies that are maintained and reach the 6 month time period are shredded.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

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Revised: 3/24/15

Revision being considered: Five Year Review

ACCS assumes most of the financial costs related to approving and supporting adoptive families. However, the adoptive family may incur some expenses.

PROCEDURE

Home study fees:

1. ACCS families approved for adoption may have their home study sent to other agencies ten times without accruing fees.
2. For additional copies sent to other agencies, a fee of \$25 per episode will be charged to the adoptive family.
3. Adoptive families who request transfer of their adoption home study to another public agency will not incur fees for the transfer.
4. Adoptive families who do not hold a foster care license with ACCS may be charged \$75 plus the fire inspector's mileage for their fire inspection and \$22 for fingerprinting.

No fees will be charged to public children services agencies for copying, sending, transferring or releasing ACCS adoptive home studies.

Adoptive families should not request a home study through ACCS in order to avoid fees incurred in working with a private adoption agency.

Families who obtain a completed home study through ACCS and then request transfer or release of their home study to a private agency will be assessed a fee equal to the fee typically charged by the private agency for a home study or release of a home study for placement.

The schedule of fees is unaffected by multiple births.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

ACCS strives to make the best match for children in adoptive homes. The agency follows procedures to support that goal.

PROCEDURE

Matching children with an adoptive parent(s)

1. When an adult relative and/or the child(ren)'s current foster caregiver has expressed an interest in adopting the child by completion and submission of the JFS 01691 or JFS 01692, and either option would be a suitable permanent home, ACCS may place the child with whom it deems is in the child's best interest.
2. If the child is a member of a federally recognized tribe or Alaskan Native Village, the Indian Child Welfare Act of 1978, 25 U.S.C.A. 1901 (1/2/06) (ICWA) shall take precedence for an adoption.
3. Siblings will be placed together wherever such placement is assessed as being in the best interests of the siblings.
4. The child's preference may be considered if the child has the capacity to express a preference.
5. Any adult relative or foster caregiver who has expressed interest in the child shall be considered at the matching conference. The following is the preferential order for the placement of a child if more than one family is being considered for placement:
 - a. An adult relative;
 - b. The foster caregiver with whom the child resides, if the child has substantial emotional ties to the foster caregiver and if the removal of the child from placement with the foster caregiver would be detrimental to the child's well-being;
 - c. A foster caregiver with whom the child has previously resided at any time;
 - d. An approved adoptive parent(s) who is accepting of the child's characteristics and who has expressed an interest in adopting the child.

Child safety and stability of placement are given consideration when evaluating the above preferential placements.

Geographic location will not be used as a factor in determining the best match

REFERENCE

OAC 5101:2-48-16 Adoption Preplacement and Placement Procedures



**Placement Considerations and
Preferences**

3.1

Adoption Unit Program Manual

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

ACCS supports the goal of permanency for all youth in custody. Procedures have been developed for timely placement.

PROCEDURE

If no adoptive family has been identified, within ninety days of the date of obtaining permanent custody of a child or resolution of an appeal, ACCS will list available children on the agency website at www.athenschilchildrenservices.com "children waiting" page. Additionally, children may be listed on the AdoptUSKids website at www.adoptuskids.org and the Ohio Adoption Photo Listing.

ACCS will also search the ACCS Available Adoptive Homes Database for potential matches.

When all agencies have the ability to list available adoptive families in SACWIS, the agency may conduct a search for prospective families in the statewide automated child welfare information system if there are no families identified to be presented at any matching conference.

If there are no families available to be considered at a matching conference for a specified child, ACCS shall conduct child specific recruitment for the child prior to the next matching conference. This includes at a minimum:

1. Distribution of written information regarding the child to two or more adoption agencies;
2. Review of the case file for relatives or individuals in the child's past who may be able and willing to provide a permanent home for the child;
3. Exploration with the child of the individuals with whom the child is familiar who may be able and willing to adopt the child.

Matching conferences will no longer occur:

1. After a child has been matched and the JFS 1654, Adoptive Placement Agreement, has been signed;
2. The child is 18 years of age or older, unless the agency decides to continue matching conferences due to the child having a mental or physical handicap and is still in the permanent custody of the agency;
3. The child's custody status changes to a status other than permanent custody.

REFERENCE

OAC 5101:2-48-16 Adoption Preplacement and Placement Procedures



Athens County
Children Services

**Timely Search for Prospective Parents
for A Child in the Permanent Custody
of ACCS**

3.2

Adoption Unit Program Manual

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

ACCS utilizes a systematic means to assure consideration of matching families with youth waiting to be adopted.

PROCEDURE

The Athens County Children Services MEPA Monitor is invited to all matching meetings to assure compliance with this policy.

Athens County Children Services will not use the family's geographical location as the basis for denying or delaying a child's adoptive placement.

A state hearing through the Ohio Department of Job and Family Services is available if a prospective applicant(s) believes that an adoptive placement was denied or will be denied solely for the reasons of geographic location of the family.

A copy of the JFS 01611 "Non-discrimination Requirements for Foster Care and Adoptive Placements" (rev. 02/2005) is attached to these policies.

When there are more than five families who may be a potential match the agency may narrow the field to a minimum of five families based on:

1. The level of experience a family has working with the specific medical, behavioral, or mental health challenges a specific child presents;
2. The preference to keep siblings together.

If a family was previously considered for a child in a matching conference and was not interested in the child, ACCS is not required to consider the family for the same child in subsequent matching conferences.

Interview protocol:

1. ACCS conducts interviews of all adoptive families being considered for potential matching with a child;
2. If the family lives more than an hour away from ACCS, an initial interview will be conducted via Skype, or by phone if Skype is not available;
3. If further consideration for match is being given based off the Skype interview, an in-home interview will be scheduled;
4. In-home interviews are scheduled with families who are being considered and live within an hour of ACCS;
5. If a two parent family, both parents must be present at all interviews, and the family may ask their agency worker to be present.



Athens County
Children Services

**Procedures to Review All Approved
Adoptive Families for Matching with
Available Children
3.3
Adoption Unit Program Manual**

REFERENCE

OAC 5101:2-48-16 Adoption Preplacement and Placement Procedures

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Matching Conferences are a structured decision making process that address all needs of the child and assesses the ability of the prospective family to meet those needs.

PROCEDURE

The first match meeting is held within ninety days of the file stamp date of permanent custody or, if an appeal was filed, within ninety days after receipt of the appeal decision. Subsequent matching meetings are held every ninety days.

Matching meetings are conducted per ODJFS rule 5101:2-48-16.

Families are considered for placement based on how child characteristics that are acceptable to them match with the child's characteristics.

All families accepting of the child's characteristics, where in-home interviews occurred, shall be considered by the agency to be presented in the matching conference.

The family who matches the child's needs most closely is matched with the child.

In case of a tie in scores when more than one family has been considered for a match, the decision on with whom to match will be made through discussion by the ACCS Adoption Team. Documentation of how the match was determined will be included in the matching paperwork.

It is possible that a family with a lower score from the match could be considered to be the best match for the child. In those circumstances:

1. Discussion will occur by the ACCS Adoption Team regarding the reasons why it is felt the family with a lower score is the better match;
2. Documentation of that discussion and justification will be included in the matching paperwork.

Should an adult relative and the foster parent of a child express an interest in adopting the child, and the JFS 1691 or JFS 1692 have been submitted, and either option would be appropriate, ACCS may place the child with the family deemed to be in the child's best interests (OAC 5101:2-48-16(b)). In this situation, the regular interview and matching protocols will be followed.

REFERENCE

OAC 5101:2-48-16 Adoption Preplacement and Placement Procedures

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

One year between adoptive placements is recommended to allow for adjustment of the child and all family members.

This policy may be waived at the discretion of the agency for sibling placements, foster parent adoptions, or when a significant relationship exists between the adoptive applicant and the available child.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15

POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

When a child is still in the custody of ACCS but placed in an adoptive placement, the adoptive family has requirements to notify ACCS of changes in the home that will impact the child.

PROCEDURE

An approved adoptive parent shall notify the recommending agency within one hour of any of the following circumstances involving the adoptive child whose adoption is not finalized:

1. A serious injury or illness involving medical treatment of the adoptive child.
2. The death of the adoptive child.
3. Unauthorized absence of the adoptive child from the home.
4. Removal of the adoptive child from the home by any person or agency other than the placing agency, or attempts at such removal.
5. Any involvement of the adoptive child with law enforcement authorities.

An adoptive parent shall notify the recommending agency within twenty-four hours or the next working day if any of the following occur prior to finalization of the adoption of the child:

1. A change in the marital status of an approved adoptive parent(s).
2. Any serious illness or death of an approved adoptive parent(s) or household member.
3. The finalization of an adoptive child placed by a different agency.
4. A change in the number of household members through birth or kinship who have not reached the age of majority.
5. A change in the number of adults residing with the approved adoptive parent (not including an existing household member reaching the age of majority).
6. A criminal charge or conviction of any approved adoptive parent or other adult household member(s).
7. A significant change in financial status/income.
8. The physical relocation of the approved adoptive parent(s) resulting in a change of address different than the address listed on the most recent home study or home study update.
9. Adoptive parent(s) shall notify the ACCS in writing if a person residing in the home who is twelve years old, but under eighteen years old, has been convicted or pleaded guilty to any offense listed in appendix A of rule 5101:2-48-10 of the Administrative Code or has been adjudicated to be a delinquent child for committing an act that if committed by an adult, would constitute one of those offenses.



**Notifications Required of Adoptive
Parents Prior to Finalization
4.1
Adoption Unit Program Manual**

REFERENCE

OAC 5101:2-48-12.2 Completion of Adoption Home Study Amendments

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15

SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

All families who have a child placed in their home for the purpose of adoption will receive, free of charge from ACCS, pre-finalization services. These services may include provision or linkage to the following:

1. Case management services
2. Counseling services
3. Crisis intervention
4. Diagnostic assessment
5. Therapeutic services
6. Respite

For children in ACCS placed out of county or out of state, the above services will also be secured by the child's caseworker in the family's area of residence.

These services are designed to achieve the following objectives:

1. Help the child, the adoptive, and foster families cope with the inherent stress of the move.
2. Help the child adjust to a new family and environment.
3. Help the families adapt to the changes in the family system and facilitate the development of healthy family relationships.
4. Help the child maintain emotional ties with persons who are important to him.
5. Help the child deal with issues of separation and loss.
6. Assist the family in accessing appropriate community resources.
7. Educate and empower the parents to use therapeutic behavior management techniques.
8. Build sources of ongoing support for the child and family.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



PROCEDURE

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Athens County Children Services provides services to birth parents, adoptive parents, and adoptive children. Pre and post-adoption counseling for birth parents considering an adoption plan is available. Birth parents may participate, in conjunction with a caseworker, in the following activities:

1. Review non-identifying summaries of the adoptive parents and provide input.
2. Provide pictures of themselves and family members for the child, mementoes, or anything they want their child to have.
3. Exchange letters or other written information with the adoptive parents.
4. Receive pictures or information about their child periodically throughout the child's life.

In the case of an infant placement, the following may also be mutually agreed upon and arranged. Occasionally these services are also available in non-infant placements. *Please note, though, even if these arrangements are made, it is the decision of the adoptive family and they may change their mind at any point.*

1. Meet the adoptive family.
2. Be present at the time of placement.
3. Periodic visitation.
4. Contact with other birth relatives such as grandparents or other extended family members.

In cases where parental rights are severed through ACCS pursuing and being granted permanent custody of the child which makes him/her eligible for adoption, there are sometimes situations where adoptive families are sought for matches who are willing to maintain positive existing relationships for a child.

1. The degree of openness sought in a prospective adoptive family is based upon the needs of the child and is delineated in recruitment materials for that child.
2. This is a sensitive area for many families and can be a source of anxiety for some, but ACCS has encountered a number of situations where willing adoptive families in conjunction with birth families have successfully maintained varying degrees of openness.
3. ACCS does not advocate for maintenance of relationships which would be believed to be detrimental to the child or place him or her at risk.

After the legalization of the adoption, it is important to remember that the obligation to uphold the openness in the relationship is now an ethical, rather than a legal decision. At the point of legalization, adoptive parents are given the responsibility of deciding what is in the best interest of their child. Adoptive parents may request the assistance of the Adoptive Family Caseworker as an intermediary or in other appropriate capacities.



**Open Adoption
4.3
Adoption Unit Program Manual**

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Subsidy programs are financial assistance programs whose purpose is to make permanent homes possible for children with special needs. A wide variety of subsidy options are available. These subsidies can help with the general costs of rearing a child or may be to pay for a specific service the child needs. Children who receive subsidies must meet the special needs criteria and financial criteria, which vary dependent on the subsidy program.

PROCEDURE

Information about all the subsidy programs will be provided to all families who are approved for adoption and again at the time a placement is made. Athens County Children Services presents some Adoption Assistance requests to the Board for final approval. The subsidy programs are:

1. Federal IV-E Adoption Assistance (board approved)
2. State Adoption Maintenance Subsidy (board approved)
3. Non-recurring expenses of adoption (board approved)
4. Athens County Special Services Subsidy
5. Covered Families and Children Medicaid
6. Post-Adoption Special Services Subsidy (PASSS)
7. State adoption assistance loan fund

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Federal IV-E Adoption Assistance is available for most children adopted through ACCS.

PROCEDURE

Federal IV-E Adoption Assistance

1. The majority of children in the permanent custody of ACCS are eligible to receive a monthly subsidy through the Federal Title IV-E program.
2. Eligibility is determined based on the birth family income and special needs factors of the child.
3. This includes a Medicaid card to cover a variety of health related services.
4. Application is made to the county having permanent custody of the child and must be submitted prior to finalization.
5. If all other eligibility criteria are met, and the only special needs factor met is that the child has been determined at substantial risk, with no manifestation of a special needs factor at the time of adoptive placement, an Adoption Assistance Agreement only with no payment shall be entered into in accordance with rule 5101:-49-07. Agreement set at \$0.00 which allows for renegotiation later if eligible needs are manifested.

REFERENCES

OAC 5101:2-49-01 Administration of the Adoption Assistance Program

OAC 5101:2-49-07 Adoption Assistance Agreement Only with No Payment

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Special needs children who are not eligible for IV-E may be eligible for State Adoption Maintenance Subsidy program, which is based on the adoptive parent(s)' income.

GUIDELINES

State Adoption Maintenance Subsidy program is a subsidy program unique to Ohio adoptions.

1. A State Adoption Subsidy application (JFS 01613) will be available upon request.
2. All prospective applicants who wish to apply must do so prior to finalization of their adoption.
3. Application must be made to the county that has permanent custody of the child.

PROCEDURE

In order to be considered for State Adoption Maintenance Subsidy, adoptive families must apply for and be denied IV-E Adoption Assistance.

Each applicant must complete and submit the following for consideration of a state subsidized adoption:

1. Application for subsidized adoption (JFS 01613);
2. Annual financial report;
3. A copy of the adoptive family's most recent federal income tax form;
4. Documentation of the child's special needs.

ACCS no longer provides the state adoption special services subsidies for those approved prior to July 1, 2004.

Applicants have the right to a state hearing pursuant to 5101.35 of the ORC and division 5101:6 of the OAC.

REFERENCES

OAC 5101:2-44-03 Public Children Services Agency (PCSA) Administration of the State Adoption Maintenance Subsidy Program

OAC 5101:2-44-06 Eligibility for the State Adoption Maintenance Subsidy Program



**State Adoption Maintenance
Subsidy
5.3
Adoption Unit Program Manual**

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Adoptive families may incur costs related to the legal adoption of a child. There are funds for which families can apply to offset these costs

GUIDELINES

This subsidy is intended to assist with legal, medical, transportation, and lodging expenses incurred by the adoptive family in the process of finalizing an adoption and is only reimbursable following finalization up to \$1,000 per child.

1. The child must be special needs, and adoptive family income is not a factor.
2. If all other eligibility criteria are met, and the only special needs factor is the child has been determined to be at substantial risk, with no manifestation of a special needs factor, the child is not eligible for nonrecurring adoption assistance.
3. Application must be made prior to finalization on form JFS 01421.

REFERENCES

OAC 5101:2-49-21 Reimbursement of Nonrecurring Adoption Expenses for a Child with Special Needs

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Athens County Children Services special services subsidy is available to families who adopt children in the permanent custody of ACCS.

GUIDELINES

Application may be made at any time after the adoption finalization by contacting the Adoptive Family Caseworker for an application.

ACCS Special Services will only be available for:

1. Non-PASSS covered services;
2. When PASSS funding for the year has been spent;
3. When a family lives out of state and does not have access to PASSS;
4. When the PASSS program is closed.

Funding amount and period:

1. A maximum per year expenditure of \$1200 per child will be offered but is limited to a funds available basis.
2. Funding periods will be January 1 to December 31, and re-application must occur yearly.
3. Funding will be pro-rated, based on when an adoption is finalized or application is made (i.e. adoption finalized or application made in March, maximum amount will be \$1000).

Children must qualify under the state special needs guidelines and services must be pre-approved and fall within agency guidelines.

The Special Services Subsidy is effective until a child turns 18, unless he/she meets the criteria of a physical and/or mental handicap. This criteria is the same as used for continuation of adoption assistance and PASSS past the age of 18. If this subsidy is approved to continue after the age of 18, the end date will coincide with the termination of adoption assistance (either high school graduation or the age of 21).

ACCS Special Services Subsidy may be utilized after accessing all available funds including Medicaid, insurance, PASSS and any other available funding source. Service examples are psychological, medical, rehabilitative care, as deemed necessary to meet the child's special needs. A professional statement of need will be required for non-PASSS services.

Cost of Services must be preapproved, if possible, by the Post Adoption Caseworker and fall within agency guidelines. Payment is not guaranteed for expenditures that are not preapproved. All respite services must be paid directly to service providers, other expenditures may be reimbursed to the

adoptive parents with a valid receipt and proof of payment. Respite providers must provide a W-9 to the agency prior to service provision.

Reimbursable Services

Tutoring
Respite
Transportation to regular long-distance appointments
Medical equipment
Funding for other services on a case by case basis

Non-Reimbursable Services

Computer equipment and software
Orthodontia
Medical co-pays or deductibles
Camp or other recreational activities
Child care

There is no grievance process for approval/denial of Special Services Subsidy requests. Applications will be managed through the ACCS Subsidy Committee.

APPENDIX

ACCS Special Services Subsidy Policy

Procedure Approved: 3/24/15
Procedure Revised: 3/24/15



STATEMENT

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

General Information

1. PASSS is an Ohio-funded program designed to assist eligible families, after adoption finalization.
2. Families must apply through their county of residence using JFS 01050.
3. Step parent adoptions do not qualify for PASSS.

GUIDELINES

Eligibility factors:

1. The child has a physical or developmental handicap or mental or emotional condition that either existed before the adoption petition was filed or developed after the adoption petition was filed and can be directly attributed to factors in the child's pre-adoption background or medical history, or biological family's background or medical history.
2. The child must be less than 18 years of age and reside with the parent(s) or the child is at least eighteen years of age and less than twenty-one years of age and is mentally or physically handicapped as defined in rule 5101:2-1-01 of the Administrative Code.
3. Other sources of assistance are inadequate or are unavailable to meet the child's immediate needs.
4. Applications must be accompanied by required professional statements of need, family financial statement (JFS 01681), a copy of the adoptive family's 1040 from their tax return, a credential form (JFS 01052) for services other than respite, and why the assistance is needed by the family, resources that have been pursued, public or private health insurance provisions that may cover all or some of the cost.
5. For mental health and medical treatment the child's treatment plan must be turned in to ACCS within 30 days of the first visit.
6. Services covered include medical, surgical, psychological and psychiatric services as documented by a qualified professional.
7. Respite services are included when they are a medical, surgical or psychological necessity.
 - a. Respite providers cannot be related to the adoptive family unless there is a special circumstance approved by ACCS.

Services not covered by PASSS:

1. Dental or orthodontia;
2. Educational services (e.g. tuition and tutoring);
3. Medical co-payments, insurance deductibles or prescriptions;
4. Camp or any recreational services;
5. Travel-related expenses or automobile purchases and repairs are not included unless it

- is a vehicle modification directly related to the child's special needs;
6. Also excluded are computer equipment including software;
 7. Child care services;
 8. Property fences;
 9. Service animals;
 10. Food, meal supplements, nutrition drinks;
 11. Services provided by a public or private adoption agency to make arrangements for adoptive placements;
 12. Services that are equivalent or a greater benefit to other family members (not including family counseling and respite services);
 13. Services to a child for whom a parent-child relationship does not exist;
 14. Services that facilitate contact with a parent whose rights have been terminated;
 15. Services for a child in the custody of a public or private children services agency;
 16. Legal fees to finalize the adoption or for any other legal action;
 17. Residential costs excluding the educational component are included with supporting documentation that meets the rule.

Approved services must address the child's physical or developmental handicap or mental or emotional condition that either existed before the adoption petition was filed or developed after the adoption petition was filed and can be attributed to factors in the child's pre-adoption background, medical history, or biological family's background or medical history.

Approved services involving therapy must be provided by a qualified professional as defined by rule.

Funding

1. Except under special circumstances, per rule, no more than ten thousand dollars shall be encumbered per adopted child per fiscal year.
2. The child must be in need of public care or protective services to avoid an adoption disruption, but accessing this subsidy does not cause a case to be opened with the county of residence.
3. The availability of funds is under Ohio legislative control.
4. An additional \$5,000 may be available only if income and resources decrease substantially due to an involuntary loss of employment or a qualified professional recommends out of home placement to prevent disruption.

In cases where an adopted child has been placed outside of the home, a plan for reunification must be developed.

This will be completed and signed with the Adoptive Family Caseworker, and will be reviewed every 90 days.

The adoptive parent or parents who receive PASSS funds shall pay at least five per cent of the total cost of all services provided to the child.

ACCS may waive the five per cent requirement if the gross income of the child's adoptive family is not more than two hundred per cent of the federal poverty guideline.

In the event state funding is no longer available, the PASSS program will close to new applications until July 1 of the following SFY. Once state funds have been exhausted, neither Ohio Department of Job and Family Services nor ACCS may be held responsible for payment of services for applications that have not been approved.

ACCS may elect to approve PASSS funding for an insurance deductible for the child only, in lieu of approving PASSS funds for the cost of services for the child.

This shall only be done on a case by case basis under special circumstances and approval by the PASSS Committee when ACCS has determined that it would be more cost effective to pay the insurance deductible than to pay for the cost of the services.

PROCEDURE

The PCSA executive director, or designee, shall provide written notice on the JFS 04074 "Notice of Approval of Your Application for Assistance" (rev. 5/2001) or the JFS 07334 "Notice of Denial of Your Application for Assistance" (rev. 4/2003) to the applicant within three days of the decision to approve or deny the application.

If PASSS funds are not approved, the applicant has a right to a state hearing pursuant to section 5101.35 of the ORC and division 5101:6 of the OAC.

Each approved PASSS application shall be reviewed by the PCSA within twenty days after the state fiscal quarter in which it was approved, and every subsequent quarter within the SFY, to determine if the funding is being utilized.

1. The PCSA shall notify the family, within five days of completion of the review, of its intent to release these funds for that quarter unless the family provides adequate justification as to why the funds were not used.
2. If the PCSA does not accept the justification offered by the family, the family shall then provide invoices from that quarter and for all future time periods to the PCSA within twenty days of receipt of the notice of the PCSA's lack of acceptance.
3. If the family does not provide invoices to the PCSA within the twenty day period, the PCSA shall release the funds in question immediately to ODJFS on the JFS 01050A and the family is responsible for the payment.
4. If the PCSA releases the funds, it shall provide the family information regarding the right to a state hearing pursuant to section 5101.35 of the Revised Code and division 5101:6 of the Administrative Code.

ACCS PASSS Committee reserves the right to request progress reports from providers to determine the need to continue services and/or release funds.

PASSS Application Alternative Review Policy

1. When the PASSS committee will be delayed more than the required 45 days to make recommendations regarding a PASSS application, the following alternate review process will be used:
 - a. The Adoptive Family Caseworker will first attempt to meet with the minimum



required committee members regarding the application.

1. Those members are a representative of the ACCS administration, a member of the ACCS adoption team, and a community member knowledgeable of post adoption services.
2. Each of those persons should have a designee for the PASSS committee in cases of extended leaves of absences.
- b. If step #1 is not a viable option, the Adoptive Family Caseworker will make copies of the PASSS application and supporting documentation and distribute them to the committee members.
- c. Within 2-3 days, the Adoptive Family Caseworker will contact the committee members by phone and/or e-mail for their decision as to approval or denial of the application.
- d. The Adoptive Family Caseworker will make copies of any e-mails and document any phone calls made regarding the approval/denial of the application, which will be put in the child's PASSS file.
2. This review process will be used only when there are extenuating circumstances such as extended illness/leave of absence or scheduling conflicts that prohibit the committee in making their recommendations to the Director within 45 days of the receipt of the completed application.

PASSS Equine Therapy Approval Guidelines

1. For families who have been using equine for over a year, a maximum of four sessions, maximum of two hours each, will be approved to allow closure to occur.
2. For families who have been using equine for less than a year or who will be new to the therapy, a maximum of 12 sessions, maximum of two hours each, will be approved.
3. The amount approved includes those equine sessions billed as case management, also.
4. If it is felt further treatment through this mode of therapy is needed, the family must turn in a new PASSS application with a detailed letter from the therapist as to why additional sessions are needed.
5. Approval of additional sessions is not guaranteed.
6. Therapeutic camps using the equine therapy approach will be approved on a case by case basis.

Use of PASSS (and ACCS SSS) for respite

1. Payment to relatives
 - a. The funds shall be released based on state rule with the following exception:
 1. ACCS may approve the use of relatives to provide respite care and receive reimbursement for providing that respite.
 2. Prior to utilizing relatives for respite, though, approval must be obtained by the Adoptive Family Caseworker.
 3. Circumstances under which relatives can be approved are:
 - a. The child was recently placed in the adoptive home and care needs provided by a familiar person;
 - b. The child has medical or behavioral needs of which the



- relative is familiar and able to care for, and it would be difficult for someone else to provide appropriate care;
- c. The child has attachment difficulties and care needs provided by a familiar person;
 - d. The pool of respite care providers is critically limited.
2. Use of respite
- a. Respite care services do not include:
 1. Hospice services for those who are terminally ill;
 2. Regular child care while the parents are working;
 3. Therapy, nursing services and other rehabilitative services.
 - b. Families may use respite for as long as and as frequently needed following PASSS approval as long as approved funding is available.

Budgetary limitations on PASSS

1. No more than \$2,400 per SFY of the PASSS budget may be encumbered for medical, surgical or mental health respite.
2. ACCS may elect, on a case by case basis to approve up to an additional \$2,400 per child per SFY for medical, surgical, or mental health respite under special circumstances.
3. This determination will be made by the PASSS Committee giving consideration to the special needs of the child and the level of respite care required.

REFERENCES

OAC 5101:2-44.13 Public Children Services Agency (PCSA) Administration of the Post Adoption Special Services Subsidy (PASSS) Program

OAC 5101:2-44.13.1 Eligibility and Application Process for the Post Adoption Special Services Subsidy (PASSS) Program

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

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The state adoption assistance loan fund provides loans to prospective adoptive parents residing in Ohio to cover adoption expenses incurred by, or on behalf of, a prospective adoptive parent and for which the prospective adoptive parent carries the ultimate liability for payment. This rule does not apply to step-parent adoptions.

GUIDELINES

The state adoption assistance loan fund will be administered through a financial institution or institutions approved by the Ohio department of job and family services (ODJFS). The financial institution or institutions shall set the loan repayment terms, the procedures for collection of loan arrearages, and any monetary penalties for loan arrearages or improper use of loan funds.

If the child being adopted resides in Ohio, the prospective adoptive parents may receive up to three thousand dollars from the state adoption assistance loan fund.

If the child being adopted does not reside in Ohio, the prospective adoptive parents may receive up to two thousand dollars from the state adoption assistance loan fund.

PROCEDURE

The public children services agency (PCSA), private child placing agency (PCPA) or private non-custodial agency (PNA) shall inform prospective adoptive parents who inquire about adoption services through the agency that the state adoption assistance loan is available.

In order to be eligible for a state adoption assistance loan, a prospective adoptive parent shall meet the following requirements at the time of application:

1. Have one of the following approved home studies:
 - a. A JFS 01673 "Assessment for Child Placement (Home study)" (rev. 6/2011) or equivalent for children adopted from another state.
 - b. A JFS 01692 "Application for Adoption of a Foster Child" (rev. 06/2009).
 - c. A copy of a home study narrative report in the case of an international adoption.
2. Have been matched with an identified child who is legally free for adoption and who will be adopted prior to their eighteenth birthday.
3. Have applied for the state adoption assistance loan prior to finalization of the adoption.



In addition to the requirements outlined in this rule, a prospective adoptive parent must also meet the requirements of the financial institution administering the state adoption assistance loan fund.

If a prospective adoptive parent is interested in applying for a state adoption assistance loan, the PCSA, PCPA or PNA shall provide the prospective adoptive parent with documentation, on agency letterhead, indicating the requirements outlined in this rule have been met.

In the case of a private or an international adoption, the prospective adoptive parent shall obtain the documentation outlined in this rule from the agency which completed their home study.

Once the prospective adoptive parent has obtained the required documentation from the PCSA, PCPA or PNA, the prospective adoptive parent shall:

1. Provide the documentation to the financial institution.
2. Complete the financial institution's application for the state adoption assistance loan.

The state adoption assistance loan shall be used for adoption services which are reasonable and necessary such as adoption fees, court costs, attorney fees, and other expenses directly related to the legal adoption of a child. These expenses cannot be incurred in violation of state or federal law and cannot be reimbursed from other sources or funds.

Other adoption expenses directly related to the legal adoption of a child refers to the cost of the adoption incurred by or on behalf of the adoptive parent(s) and for which the adoptive parent(s) carries the ultimate liability for payment. These expenses can include, but are not limited to, costs related to:

1. The adoption home study.
2. Health and psychological examinations.
3. Supervision of the placement prior to the final decree of adoption.
4. Reasonable cost of transportation, lodging, and food for the child and/or adoptive parent(s) when necessary to complete the placement or adoption process.

REFERENCES

OAC 5101:2-44-14 State Adoption Assistance Loan Fund

Procedure Approved: 3/24/15

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POLICY

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An adoptive child in receipt of a JFS 01615 " State Adoption Maintenance Subsidy Agreement" (rev. 4/2014) may be eligible for covered families and children (CFC) medicaid as outlined in rules 5160:1-2-01.8 and 5160:1-2- 01.9 of the Administrative Code based only upon the child's income, resources, and special needs for medical, mental health, or rehabilitative care.

GUIDELINES

In order for an adoptive child to be considered a child with special needs for medical, mental health, or rehabilitative care, the public children services agency (PCSA) responsible for determining state adoption maintenance subsidy program eligibility shall determine that, at the time of adoptive placement, the child has a medical necessity as defined in rule 5160-1-01 of the Administrative Code. The medical necessity includes at least one of the following needs or circumstances that may be a barrier to the adoptive placement without medical assistance because the child:

1. Has a medical condition, physical impairment, or developmental disability.
2. Has been diagnosed with a mental disorder as characterized by a behavioral, psychological, or biological dysfunction.
3. Has been diagnosed with a substance-related disorder.

Eligibility criteria:

1. For any such child for whom the approval for state adoption maintenance subsidy was entered into between April 7, 1986 and June 30, 2004, CFC medicaid eligibility as outlined in rules 5160:1-2-01.8 and 5160:1-2- 01.9 of the Administrative Code, is contingent upon the following:
 - a. A determination by the PCSA administering the agreement that the child's state adoption maintenance subsidy case record contains sufficient documentation that the child cannot be placed with the adoptive parents or parent without medical assistance because of the child's special needs for medical or rehabilitative care.
 - b. A finding by the county department of job and family services (CDJFS) of the child's residence that either the child was eligible for medicaid as outlined in rules 5160:1-2-01.8 and 5160:1-2- 01.9 of the Administrative Code, prior to the approval for state adoption maintenance subsidy being entered into; or that the child would have been eligible for medicaid, based on the child's income, during any of the six months prior to the approval for state maintenance adoption subsidy being entered into.
2. For any child for whom a JFS 01615 was entered into on or after July 1, 2004, CFC medicaid eligibility as outlined in rules 5160:1-2-01.8 and 5160:1-2- 01.9 of the Administrative Code, is contingent upon all of the following:



- a. A finding by the PCSA administering the agreement that the child has a medical necessity as outlined in paragraph (B) of this rule which makes the child with special needs eligible for medical, mental health, or rehabilitative care as documented on the JFS 01449 "Determination of Special Needs for Medical, Mental Health, or Rehabilitative Care" (rev. 7/2004).
- b. The adoptive parent or parents are eligible for a state adoption maintenance subsidy under division (B) of section 5153.163 of the Revised Code.
- c. The financial eligibility determined by the CDJFS set forth in rule 5160:1-4-03 of the Administrative Code.

PROCEDURE

CDJFS duties:

1. Upon filing by an adoptive parent of a completed JFS 07216 "Combined Programs Application" (rev. 11/2013) with supporting JFS 01449 and JFS 01615, the CDJFS shall determine whether the adoptive child meets the eligibility criteria described in rule 5160:1-4-03 of the Administrative Code.
2. Notice of the CDJFS decision on medicaid eligibility shall be provided in accordance with division 5101:6 and Chapter 5160:1-2 of the Administrative Code. In addition, the CDJFS shall send a copy to the PCSA of the notice of medicaid approval sent to any adoptive parent who meets the criteria set forth in rule 5160:1-4-03 of the Administrative Code.

REFERENCES

OAC 5101:2-44-05.1 Covered Families and Children (CFC) Medicaid Eligibility: Children with Special Needs

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Procedure Revised: 3/24/15



SUMMARY

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Following adoption finalization, all services to families are voluntary. These services are intended to provide support, education, and advocacy to families.

GUIDELINES

Families may request any of the following services:

1. Subsidy assistance/PASSS application;
2. Crisis and behavioral intervention;
3. Respite care;
4. Access to lending library of educational audio and video tapes, books and informational handouts;
5. Advocacy with courts, schools, counselors, or other community resources;
6. Information regarding residential treatment facilities, summer camps, etc.;
7. Therapeutic intervention groups;
8. Workshops and training opportunities;
9. Assistance with obtaining additional information from or in regard to birth families within the limits of the Ohio Revised Code and ODJFS rules;
10. Contact with birth family members;
11. Other case management activities.

Post adoption services are available for any family who has adopted through ACCS and to any adoptive family who resides in Athens County.

These services will be offered on a case by case basis to the extent local resources and funding is available.

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Procedure Revised: 3/24/15



STATEMENT

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ACCS will respond to a request to verify when an adult who consents to be adopted was in the agency's custody on the date of their eighteenth birthday.

PROCEDURE

1. Adults who consent to adoption shall sign a Release of Confidential Information agreeing to the verification of their being in the custody of ACCS on their 18th birthday if they wish the agency to provide that information to the court.
2. The adoption supervisor or designee will then enter that information in a letter to the court or the adult's attorney as requested within 7 days of receiving the release.

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SUMMARY

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The Multiethnic Placement Act of 1994, 42 U.S.C. 622(b)(9), 671(a)(18), 674(d) and 1996(b) (hereinafter "MEPA") and title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq as it applies to the foster care and adoption process (hereinafter "Title VI"), are designed to decrease the time children wait for foster care and adoption placement, prevent discrimination in the placement of children, and aid in the identification and recruitment of foster and adoptive families who can meet each child's needs. It prohibits any agency using federal funds from denying any person the opportunity to become an adoptive parent or foster caregiver on the basis of race, color or national origin of that person, or of the child involved and from delaying or denying the placement of a child for adoption or foster care on the basis of race, color or national origin of the adoptive parent or parents, of the foster caregiver or caregivers, or the child involved.

Under MEPA and Title VI, no agency may routinely consider race, color or national origin as a factor in assessing the needs or best interests of children. In each case, the only consideration shall be the child's individual needs and the ability of the prospective foster caregiver or adoptive parent to meet those needs. Only the most compelling reasons may serve to justify consideration of race, color or national origin as part of a placement decision. Such reasons emerge only in the unique and individual circumstances of each child and each prospective foster caregiver or adoptive parent. In those exceptional circumstances when race, color or national origin need to be taken into account in a placement decision, such consideration must be narrowly tailored to advance the child's best interest. Even when the facts of a particular case allow consideration related to race, color or national origin, this consideration shall not be the sole determining factor in the placement decision.

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Procedure Revised: 3/24/15



GUIDELINES

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

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The following actions by a PCSA, PCPA, or PNA are permitted under MEPA and Title VI:

1. Asking about and honoring any choice made by prospective adoptive parents or prospective foster caregivers regarding what race, color or national origin of child the prospective adoptive parents or prospective foster caregivers will accept.
2. Honoring the decision of a child over 12 years of age to not consent to an adoption when that decision has been approved by a court pursuant to section 3107.06 of the Revised Code.
3. Providing information and resources about adopting a child of another race, color or national origin to prospective adoptive parents or prospective foster caregivers who request such information and making known to all families that such information and resource are available.
4. Considering the request of a birth parent(s) to place the child with a relative or nonrelative identified by name.
5. Considering race, color or national origin as a possible factor in the placement decision when compelling reasons serve to justify that race, color or national origin needs to be a factor in the placement decision. Even when the facts of a particular case allow consideration related to race, color or national origin, this consideration shall not be the sole determining factor in the placement decision.
6. Discussing the special cultural and physical needs of children of different races, ethnicities, and national origins as part of the training which is required of all persons who seek to become eligible to be adoptive parents or foster caregivers.
7. Documenting verbal comments, verbatim, or documenting in detail any other indication made by a prospective adoptive family member or prospective foster caregiver family member living in the household reflecting a negative perspective regarding the race, color or national origin of a child for whom they have expressed an interest in adopting and indicating whether those comments were made before or after completion of the cultural diversity training which is required for all prospective adoptive or foster care applicants.

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Procedure Revised: 3/24/15



GUIDELINES

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

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Revision being considered: Five Year Review

The following are examples of actions prohibited under MEPA and Title VI:

1. Using the race, color or national origin of a prospective adoptive parent or foster caregiver to differentiate between adoptive placements for a child, unless an individualized assessment has been completed.
2. Honoring the request of a birth parent(s) to place a child with a prospective adoptive parent or prospective foster caregiver of a specific race, color or national origin, unless the birth parent(s) identifies a relative or non-relative by name and that person is found to meet all relevant state child welfare protection standards, unless the agency determines that the placement is not in the best interests of the child.
3. Requiring a prospective adoptive family or a prospective foster caregiver to prepare or accept a transracial adoption or foster care plan.
4. Using “culture” or “ethnicity” as a proxy for race, color or national origin.
5. Delaying or denying placement of a child based upon the geographical location of the neighborhood of the prospective adoptive family or a prospective foster caregiver whenever geography is being used as a proxy for the racial composition of the neighborhood, the demographics of the neighborhood, the presence or lack of presence of a significant number of persons of a particular race, color, or national origin in the neighborhood or any similar purpose.
6. Requiring extra scrutiny, additional training, or greater cultural awareness of individuals who are prospective adoptive parents or foster caregivers of children of a different race, color or national origin than required of other prospective adoptive parents or foster caregivers
7. Relying upon general or stereotypical assumptions about the needs of children of a particular race, color or national origin.
8. Relying upon general or stereotypical assumptions about the ability of prospective adoptive parents or prospective foster caregivers of a particular race, color or national origin to care for or nurture the sense of identity of a child of another race, color or national origin.
9. “Steering” prospective adoptive parents or foster caregivers away from parenting a child of another race, color, or national origin. “Steering” is any activity that attempts to discourage prospective adoptive parents or prospective foster caregivers from parenting a child of a particular race, color or national origin.

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POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

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ACCS will respond to complaints from adoptive applicants and prospective adoptive parents.

PROCEDURE

The agency review of any complaint received from an adoptive applicant, prospective adoptive parent or adoptive parent shall occur within thirty days of the receipt of a request for an agency review and shall include a face-to-face meeting with the adoptive applicant, prospective adoptive families and adoptive families requesting an agency review, the adoptive family caseworker and the Executive Director of ACCS or her/his designee.

A written decision, including the reason for the decision, shall be rendered by the Executive Director of ACCS or her/his designee.

1. The decision shall be based upon the evidence presented at the review.
2. A copy of the decision shall be provided to all parties to the agency review within fifteen days of the review.
3. All documentation related to notification regarding rights to an agency review and written decisions of the agency review required by this rule shall be maintained in the child and family case record.

When an approved adoptive family requests an agency review because the family believes an adoptive placement was denied or will be denied solely on the basis of geographic location, ACCS shall provide the family with notices and copies of all materials related to requesting a state hearing.

See MEPA complaint policy for MEPA complaints.

REFERENCE

Adoptive parent Grievance Policy

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

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As a public children services agency, Athens County Children Services acts as a representative of the Ohio Department of Job and Family Services in recommending family foster homes for certification, accepting temporary, permanent, or legal custody of children, and in placing children for foster care or adoption. In acting as a representative of the Ohio Department of Job and Family Services, Athens County Children Services will comply with the Ohio Administrative Rules applicable to the functions performed.

GUIDELINES

Per 5101:2-5-13, A(38), included in this policy is a copy of the JFS 01611 "Non-discrimination Requirements for Foster Care and Adoptive Placements."

Per 5101:2-5-13, A(39), Athens County Children Services shall comply with the standards of conduct regarding MEPA and Title VI in accordance with rule 5101:2-33-11 of the Administrative Code, "Multiethnic Placement Act (MEPA) Agency Administrative Requirements." Standards of Conduct attached.

Per 5101:2-5-13, A (39), Athens County Children Services adopts as policy, the complaint process pursuant to rule 5101:2-33-03, "Procedure for complaints of alleged discriminatory acts, policies or practices in the foster care or adoption process that involve race, color, or national origin."

PROCEDURE

Athens County Children Services shall provide a written notice of the procedure for any complaints of discrimination in the foster care or adoption process that involve race, color or national origin (RCNO) to all individuals inquiring about or applying to be a foster caregiver or adoptive parent. Such notices shall be provided within 7 days of the individual's first contact with the agency.

Any individual may file a complaint alleging a discriminatory act, policy, or practice involving RCNO in the foster care or adoption process of a public children services agency, a private child placing agency, private noncustodial agency, or the Ohio Department of Job and Family Services (ODJFS). Any person, including but not limited to, an employee or former employee of an agency or a member of a family which has sought to become a foster caregiver or adoptive parent, may also file a complaint alleging that he or she was intimidated, threatened, coerced, discriminated against or otherwise retaliated against in some ways by an agency or ODJFS because he or she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing in connection with an allegation that an agency engaged in discriminatory acts, policies, or practices as it applies in the foster care or adoption process.

The individual filing a complaint shall use the JFS 02333 "Discrimination Complaint Form." The complaint shall be filed within 2 years from the date of the occurrence of the alleged discriminatory act; or 2 years from the date upon which the complainant learned or should have known of a discriminatory act, policy, or practice. The complaint may be filed with:

1. Any public children services agency, private child placing agency, or private noncustodial agency
2. The Ohio Department of Job and Family Services
3. ODJFS Bureau of Civil Rights or
4. U.S. Health and Human Services Office of Civil Rights.

When any complaint alleging discrimination involving race, color, or national origin in the foster care or adoption process is received by:

1. A public children services agency, private child placing agency, or PNA, the agency shall forward the complaint to ODJFS within 3 working days of the date of the receipt of the complaint.
2. ODJFS, the department shall notify the agency that is the subject of the complaint within 3 working days of the receipt of the complaint.

ODJFS shall conduct an investigation of the complaint. The agency that is the subject of the complaint shall not initiate, conduct, or run concurrent investigations surrounding the complaint, or take any action regarding the complainant or the subject of the complaint until the issuance of the final investigation report by ODJFS, unless approved by ODJFS.

The agency that is the subject of the complaint shall cooperate fully with ODJFS during the course of the investigation and shall submit any information request by ODJFS not later than 14 days from the date of the request, unless otherwise agreed upon.

ODJFS shall conduct an investigation that shall include, but is not limited to:

1. Face-to-face interviews with the complainant, the respondent, and all relevant witnesses.
2. Issuance of a final investigation report to the complainant and the agency that is the subject of the complaint. The report shall include the allegations, background information, analysis, determination and recommendations and shall be issued within 90 days of the receipt of the initial complaint. If unanticipated circumstances require additional time to complete the investigation or to issue the final report, ODJFS will notify the complainant and the agency that is the subject of the complaint of the need for additional time.

Upon completion of the final investigation report, ODJFS shall determine if any action against an agency is warranted. For noncompliance of a public children services agency, ODJFS may take action concerning the agency's certificate permitted under section 5101:24 of the Revised Code.

No person who has filed a complaint alleging a discriminatory act, policy or practice involving RCNO in the foster care or adoption process of an agency or who has testified, assisted, or participated in any manner in the investigation of a complaint shall be intimidated, threatened, coerced, or

retaliated against by any employee or contractor of the agency or ODJFS.

Nothing in this rule or in an agency's policy shall prohibit an individual from filing a complaint with the United States Department and Health and Human Services (HHS), office for civil rights (OCR), alleging discrimination that involved RCNO in the foster care or adoption process of an agency or ODJFS.

The requirements of rules 5101:2-33-04 and 5101:2-48-24 of the Administrative Code to not apply to complaints of discrimination in the foster care or adoption process that involve RCNO.

Each PCSA, PCPA or PNA shall provide a written notice of the procedures for any complaints of discrimination in the foster care or adoption process that involve RCNO within thirty days of the effective date to all foster caregivers certified or in the process of certification and to all individuals who have approved adoptive home studies or who are participating in the adoptive home study process on the effective date of this rule.

REFERENCE

OAC 5101:2-33-03 Procedure for Complaints of Alleged Discriminatory Acts, Policies or Practices in the Foster Care or Adoption Process that Involve Race, Color, or National Origin.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



SUMMARY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Athens County Children Services has established the following Standards of Conduct with regard to the performance of employees and contractors/providers related to compliance with the Multiethnic Placement Act of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 622(b)(9), 671(a)(18), 674(d) and 1996(b) (MEPA) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq (Title VI), as they apply to the foster care and adoption process.

GUIDELINES

These Standards of Conduct prohibit policies, procedures or actions which serve to:

1. Deny any person the opportunity to become a foster caregiver or an adoptive parent on the basis of race, color or national origin of that person, or of the child involved
2. Delay or deny any placement of a child in foster care or for adoption on the basis of the race, color or national origin of the foster caregiver(s), of the adoptive parent(s) or of the child involved.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15

GUIDELINES

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

MEPA and Title VI permit the following actions as they apply to the foster care or adoption process:

1. Asking about and honoring any initial or subsequent choices made by prospective foster or adoptive parents regarding what race, color, or national origin of child the prospective foster or adoptive parents will accept.
2. Honoring the decision of a child twelve years of age or older to not consent to an adoption when that decision has been approved by a court pursuant to section 3107.06 of the Ohio Revised Code.
3. Providing information and resources about fostering or adopting a child of another race, color or national origin to prospective foster or adoptive parents who request such information and making known to all families that such information and resources are available.
4. Considering the request of a birth parent(s) to place the child with a relative or non-relative identified by name.
5. Considering the race, color or national origin of the child as a possible factor in the placement decision when compelling reasons serve to justify that race, color or national origin need to be a factor in the placement decision pursuant to 5101:2-48-13 and 5101:2-42-18.1 of the Ohio Administrative Code. These rules permit consideration of race, color or national origin if an Individualized Child Assessment (JFS 01688) completed pursuant to these rules indicates the child has needs related to race, color or national origin that should be taken into account when placing the child. Even when the facts of a particular case allow consideration related to race, color, or national origin, this consideration shall not be the sole determining factor in the placement decision.
6. Promoting cultural awareness, including awareness of cultural and physical needs that may arise in the care of children of different races, ethnicities, and national origins as part of the training which is required of all applicants who seek to become foster or adoptive parents.
7. Documenting verbal comments, verbatim, or describing in detail any other indication made by a prospective foster or adoptive family member living in the household or any other person living in the household reflecting a negative perspective regarding the race, color or national origin of a child for whom the prospective foster or adoptive family has expressed an interest in fostering or adopting. The documentation shall indicate whether those comments were made before or after completion of the cultural diversity training which is required for all foster and adoptive applicants. Documentation shall be included in the family's home study, update, or an addendum to the home study or update prior to consideration of placement or a matching conference. A matching conference is the process of determining the most appropriate adoptive family for the child based on the child's special needs. The matching committee may consider the information in determining if the placement is in the child's best interests.



**Permissible Actions in the Foster
Care of Adoption Process**

8.2

Adoption Unit Program Manual

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15

GUIDELINES

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

MEPA and Title VI prohibit the following actions as they apply to the foster care or adoption process:

1. Using the race, color or national origin of a prospective foster or adoptive parent to differentiate between placements.
2. Honoring the request of a birth parent(s) to place a child with prospective foster or adoptive parent(s) of a specific race, color or national origin, unless the birth parent(s) identifies a relative or non-relative by name and that person is found to meet all relevant state child protection standards, provided that the agency determines that the placement is in the best interests of the child.
3. Requiring a prospective adoptive family to prepare or accept a transracial adoption plan.
4. Using "culture" or "ethnicity" as a proxy for race, color or national origin.
5. Delaying or denying placement of a child based upon the geographical location of the neighborhood of the prospective foster or adoptive family whenever geography is being used as a proxy for:
 - a. The racial or ethnic composition of the neighborhood;
 - b. The demographics of the neighborhood; or
 - c. The presence or lack of presence of a significant number of persons of a particular race, color, or national origin in the neighborhood or any similar purpose.
6. Requiring extra scrutiny, additional training, or greater cultural awareness of individuals who are prospective foster or adoptive parents of children of a different race, color or national origin than required of other prospective foster or adoptive parents.
7. Relying upon general or stereotypical assumptions about the needs of children of a particular race, color or national origin.
8. Relying upon general or stereotypical assumptions about the ability of prospective foster or adoptive parents of a particular race, color or national origin to care for or nurture the sense of identity of a child of another race, color, or national origin.
9. "Steering" prospective foster or adoptive parents away from parenting a child of another race, color, or national origin. "Steering" is any activity that attempts to discourage prospective foster or adoptive parents from parenting a child of a particular race, color or national origin.
10. Requiring an ongoing, foster care or adoption worker or contractor to justify a proposed placement for the reason that the race, color or national origin of the child is different from that of the family whom the worker is proposing as the child's foster caregiver or adoptive parent.



**Prohibited Actions in the Foster
Care of Adoption Process**

8.3

Adoption Unit Program Manual

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

ACCS employees and contractors/providers may not intimidate, threaten, coerce, discriminate against or otherwise retaliate against any individual who makes a complaint, testifies, assists or participates in any manner in an investigation related to alleged discrimination on the basis of race, color or national origin in the foster care or adoption process.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



PROCEDURE

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

Employees or contractors/providers who desire more information about MEPA and Title VI as related to the adoption and foster care process may contact:

Barbara Cline, ACCS MEPA Monitor
(740) 592-3061

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



PROCEDURE

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

These standards of conduct include enforcement requirements to be used whenever an agency employee or contractor/provider engages in discriminatory acts, policies, or practices involving race, color, or national origin in the foster care or adoption process as determined by the Bureau of Civil Rights of ODJFS upon completion of the investigation conducted pursuant to rule 5101:2-33-03 of the Administrative Code.

For ACCS employees, these enforcement requirements shall include a range of sanctions in employee discipline, in accordance with Chapter 13 of the Athens County Children Services Board Policy and Procedures Manual. Such sanctions include suspension and/or removal in accordance with ACCS policies and procedures.

For contractors/providers performing foster care or adoption services on behalf of ACCS, these enforcement requirements shall include discipline in accordance with the contractor/provider's personnel policy and may include contract termination. Enforcement requirements for contractor/provider subcontractors shall include corrective action in accordance with the contractor/provider's contract with the subcontractor and may include contract termination.

These enforcement requirements are applied in accordance with applicable employment law and union contracts.

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15



POLICY

Issued: 2/6/08, 4/08, 9/08, 10/09, 2/11/10, 8/3/10, 1/19/12

Revised: 3/24/15

Revision being considered: Five Year Review

ACCS shall provide for the submission of a corrective action plan whenever an investigation conducted by ODJFS, pursuant to rule 5101:2-33-03 of the Administrative Code, results in a finding that an agency employee or contractor/provider engaged in discriminatory acts, policies, or practices.

GUIDELINE

If the finding involves a discriminatory act, policy or practice by a contractor/provider or subcontractor, ACCS shall develop the corrective action plan in collaboration with the contractor/provider or in collaboration with the contractor/provider and subcontractor.

PROCEDURE

The corrective action plan shall:

1. Address how ACCS will prevent future violations by that employee or contractor/provider or subcontractor, and
2. Be submitted to ODJFS within thirty days of notification of the findings of the investigation.

ACCS shall provide a copy of these Standards of Conduct to each employee or contractor/provider who is:

1. Engaged in the placement of children into foster care or for adoption, or
2. Engaged in the recruitment, assessment, approval, or selection of foster or adoptive families.

Provision of Standards of Conduct

1. Employees or contractors/providers shall receive a copy of the written Standards of Conduct no later than March 3, 2005, or within 30 days of the effective date of this rule.
2. If these Standards of Conduct are revised, employees and contractors/providers shall receive a copy of the revised Standards of Conduct within 30 days of the completion of any revisions.
3. New employees or contractors/providers shall receive a copy of the written Standards of Conduct within thirty days of their hire date or the effective date of their contract. ACCS and contractors/providers shall ensure that these Standards of Conduct are provided to their employees and subcontractors.



**Corrective Action Plan
8.7
Adoption Unit Program Manual**

Procedure Approved: 3/24/15

Procedure Revised: 3/24/15